

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:15-CR-324-F-1

UNITED STATES OF AMERICA)
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)
)
vs.)
)
)
ARNOLD OGDEN JONES, II,)
)
)
Defendant.)
)

ORDER

Before the court is the Government's motion to seal docket entry 55 pursuant to Local Criminal Rule 55.2(a). [DE 65]. Docket entry 55 – filed by Defendant – is a transcript of testimony before a federal grand jury for the Eastern District of North Carolina.

Local Criminal Rule 55.2(a) provides that "[a] party desiring to file a document under seal must first file a motion seeking leave in accordance with Section T of the CM/ECF Policy Manual ["Policy Manual"]." Section T of the Policy Manual in turn provides, *inter alia*, that a "motion to seal may be filed without a supporting memorandum only if the filing party can cite a statute or rule (federal, local or standing order) that requires the filing to be sealed."

Here, the Government relies on Rule 6 of the Federal Rules of Criminal Procedure.¹ Rule 6 provides "unless the court orders otherwise, an attorney for the government will retain control of" grand jury testimony and also prohibits the government from disclosing a matter occurring before the grand jury. FED. R. CRIM. P. 6(e)(1), (2)(B)(vi).

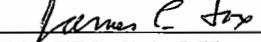
The Government's motion substantially complies with Local Rule 55.2(a) and Section T of the Policy Manual. Accordingly, the Government's motion to seal [DE 65] is ALLOWED.

¹ The Government also relies on the Standing Order Prohibiting Disclosure of Grand Jury Testimony in Criminal Cases, entered March 5, 1985 (85-PLR-1). The standing order was vacated on November 20, 2007 by then-Chief United States District Judge Louis Flanagan.

The Clerk of Court is DIRECTED to seal the document at docket entry 55.

SO ORDERED.

This the 23rd day of August, 2016.


JAMES C. FOX
Senior United States District Judge